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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,355	02/06/2004	Tatsuki Nogiwa	2004-0179A	5037
52349 7590 07/27/2009 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503				
EXAMINER				
GRAYBILL, DAVID E				
ART UNIT		PAPER NUMBER		
2894				
MAIL DATE		DELIVERY MODE		
07/27/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Applicant's traversal of the notice of nonresponsive amendment mailed on 3-05-09 is deemed persuasive. Any resulting inconvenience to applicant is sincerely regretted.

The reply filed on 4-06-09 is not fully responsive because it fails to include a complete or accurate record of the substance of the 10-29-08 interview.

The following is a quotation from MPEP 713.04:

It should be noted, however, that the Interview Summary form will not be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant, or the examiner to include, all of the applicable items required below concerning the substance of the interview.

The complete and proper recordation of the substance of any interview should include at least the following applicable items:

- (A) a brief description of the nature of any exhibit shown or any demonstration conducted;
- (B) identification of the claims discussed;
- (C) identification of specific prior art discussed;
- (D) identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary form completed by the examiner;
- (E) the general thrust of the principal arguments of the applicant and the examiner should also be identified, even where the interview is initiated by the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner;
- (F) a general indication of any other pertinent matters discussed;
- (G) if appropriate, the general results or outcome of the interview; ...

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete or accurate, the examiner may give the applicant a 1-month time period to complete the reply under 37 CFR 1.135(c) where the record of the substance of the interview is in a reply to a nonfinal Office action.

The following is applicant's record of the substance of the interview:

Interview With Examiner Graybill

The Examiner is thanked for his courtesy in granting and conducting the interview with the undersigned. During that interview, changes to independent claims 27 and 44 were proposed. The Examiner had no comment with respect to these changes. No agreement was reached during the interview. The following discussion reflects Applicants' arguments during the interview.

This record is inaccurate because the statement, "The Examiner had no comment with respect to these changes" is incorrect.

Further, the record is incomplete because the following items are not included in the record:

- (A) a brief description of the nature of any exhibit shown or any demonstration conducted;
- (C) identification of specific prior art discussed;
- (D) identification of the principal proposed amendments of a substantive nature discussed;
- (E) the general thrust of the principal arguments of the applicant and the examiner should also be identified;
- (F) a general indication of any other pertinent matters discussed.

Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the

mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

For information on the status of this application applicant should check PAIR:

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alternatively, applicant may contact the File Information Unit at (703) 308-2733. Telephone status inquiries should not be directed to the examiner. See MPEP 1730VIC, MPEP 203.08 and MPEP 102.

Any other telephone inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Graybill at (571) 272-1930. Regular office hours: Monday through Friday, 8:30 a.m. to 6:00 p.m.

The fax phone number for group 2800 is (571) 273-8300.

/David E Graybill/
Primary Examiner, Art Unit 2894